

Dear Sirs:

I respectfully urge the FCC to reject the National Association of Broadcasters petition 04-160, seeking to limit the type of content that may be provided by satellite radio broadcasters. This request by the National Association of Broadcasters is nothing more than an attempt by an established and entrenched group to stifle perceived competition from new and innovative technology.

Broadcast radio (AM and FM radio) already enjoys significant competitive advantages over satellite radio. First, broadcast radio is available to consumers at no cost, other than the cost of the receiver. Consumers must pay monthly fees to receive satellite radio. Further, the established base of broadcast radio receivers is many, many times the number of satellite radio receivers. Virtually every automobile sold in the United States is equipped with an AM/FM Radio. Consumers must in almost every case pay a price premium to equip an automobile with a satellite radio receiver. Although many consumers are choosing to pay the extra costs associated with satellite radio radio equipment and subscriptions, the customer base for satellite radio is still small relative to the number of AM and FM radio listeners.

Even with the strong competitive advantages they already enjoy, Broadcast radio providers perceive satellite radio as a new and innovative technology which threatens their monopoly over local program content. The right thing for them to do in response to the perceived threat is to improve their content so consumers will choose it over that provided by satellite radio. Instead, they choose to attempt through petition 04-160 to use the FCC as their tool to stifle the competition.

The FCC's strategic goal for competition is as follows: "The FCC's strategic goal for competition is to support the Nation's economy by ensuring that there is a comprehensive and sound competitive framework for communications services. Such a framework should foster innovation and offer consumers meaningful choice in services. Such a pro-competitive framework should be promoted domestically and overseas." This quote comes directly from the FCC website. Supporting petition 04-160 stifles competition and innovative technology. It limits consumers choices in services. Support of petition 04-160 is therefore directly in opposition to the stated strategic goal of the FCC relating to competition. For these reasons I again respectfully urge that the FCC reject petition 04-160.